

**BLAKELY
SOKOLOFF
TAYLOR &
ZAFMAN**
A LIMITED LIABILITY
PARTNERSHIP INCLUDING
LAW CORPORATIONS

1279 OAKMEAD PARKWAY
SUNNYVALE, CALIFORNIA 94086
(408) 720-8598 (Telephone)
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FACSIMILE TRANSMITTAL SHEET

Deliver to: Mail Stop RCE
Firm Name: U.S.P.T.O
Fax Number: (571) 273-8300 **Telephone No.:** _____
From: Ariana C. Bates for Marina Portnova
Date: January 3, 2008 **Time:** _____
Operator: Ariana C. Bates **Matter:** 42P12368
Number of pages including cover sheet: 14

Message: Application No: 10/002.333
Enclosed please find the RCE and Amendment for above-mentioned
matter.

CONFIDENTIALITY NOTE

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PLEASE CALL (408) 720-8598 AND ASK FOR THE OPERATOR NAMED ABOVE.**

AMENDMENT TRANSMITTAL		PATENT
<div style="display: flex; justify-content: space-between;"><div>Application No.: <u>10/002.333</u></div><div></div></div> <div style="display: flex; justify-content: space-between;"><div>Filing Date: <u>November 14, 2001</u></div><div></div></div> <div style="display: flex; justify-content: space-between;"><div>First Named Inventor: <u>David Emerson</u></div><div></div></div> <div style="display: flex; justify-content: space-between;"><div>Examiner's Name: <u>Phuongchau Nguyen</u></div><div></div></div> <div style="display: flex; justify-content: space-between;"><div>Art Unit: <u>2616</u></div><div></div></div> <div style="display: flex; justify-content: space-between;"><div>Attorney Docket No.: <u>42390P12368</u></div><div></div></div>		
<div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input checked="" type="checkbox"/> Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input checked="" type="checkbox"/> Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Applicant(s) claim small entity status (37 CFR 1.27).</div><div></div></div>		
ATTACHMENTS		
<div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Preliminary Amendment</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input checked="" type="checkbox"/> Amendment/Response with respect to Office Action</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Notice of Appeal</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input checked="" type="checkbox"/> RCE (Request for Continued Examination)</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Supplemental Declaration</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be property of record)</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Information Disclosure Statement (IDS)</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Copies of IDS citations</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Petition for Extension of Time</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input checked="" type="checkbox"/> Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Cross-Reference to Related Application(s)</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Certified Copy of Priority Document</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div>Other: _____</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div>Other: _____</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Check(s)</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input checked="" type="checkbox"/> Postcard (Return Receipt)</div><div></div></div>		
SUBMITTED BY:		
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP		
TYPED OR PRINTED NAME: <u>Marina Portnova</u>		
SIGNATURE: <u><i>M. Portnova</i></u>		
REG. NO.: <u>45,750</u>		
DATE: <u>January 3, 2008</u>		
ADDRESS: <u>1279 Oakmead Parkway</u>		
<u>Sunnyvale, California 94085-4040</u>		
TELEPHONE NO.: <u>(408) 720-8300</u>		
FACSIMILE TRANSMITTAL		
I hereby certify that this correspondence is being transmitted by facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450		
on <u>January 3, 2008</u>		
Date of Deposit <u>Ariana C. Bates</u>		
Name of Person Mailing Correspondence <u>Ariana C. Bates</u>		
Signature <u><i>Ariana C. Bates</i></u> Date <u>January 3, 2008</u>		
Express Mail Label No. (if applicable): _____		

Send to: COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450

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FEE TRANSMITTAL FOR FY 2008

(Effective on 9/30/2007. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 810**Complete if Known:**

Application No. 10/002,333
 Filing Date November 14, 2001
 First Named Inventor David Emerson
 Examiner Name Phuongchau Nguyen
 Art Unit 2616
 Attorney Docket No. 42390P12368

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☒ Other (please identify)

☒ **Deposit Account**Deposit Account Number : 02-2666

Deposit Account Name: _____

☒ **The Director is Authorized to do the following with respect to the above-identified Deposit Account:**☒ Charge fee(s) indicated below.☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.☐ Charge fee(s) indicated below except for the filing fee☒ Credit any overpayments.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

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 Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity		Small Entity		Fee Description		Fees Paid (\$)
Code	Fee (\$)	Code	Fee (\$)			
1011	310	2011	155	Utility application filing fee	} 1,030/515	_____
1111	510	2111	255	Utility search fee		_____
1311	210	2311	105	Utility examination fee		_____
1012	210	2012	105	Design application filing fee	} 440/220	_____
1112	100	2112	50	Design search fee		_____
1312	130	2312	65	Design examination fee		_____
1013	210	2013	105	Plant filing fee	} 680/340	_____
1113	310	2113	155	Plant search fee		_____
1313	160	2313	80	Plant examination fee		_____
1004	810	2004	405	Reissue filing fee	} 1,940/970	_____
1114	510	2114	255	Reissue search fee		_____
1314	620	2314	310	Reissue examination fee		_____
1005	210	2005	105	Provisional application filing fee		_____
SUBTOTAL (1) \$						<u>0.00</u>

Based on Form PTO/SB/17 (09-07) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 9/27/2007

2. EXCESS CLAIM FEES**Fee Description**

<u>Large Entity</u>		<u>Small Entity</u>	
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1202	50	2202	25
1201	210	2201	105
1203	370	2203	185
1204	210	2204	105
1205	50	2205	25

Fee Description

Each claim over 20

Each independent claim over 3

Multiple dependent claims, if not paid

Reissue: each claim over 20 and more than in the original patent

Reissue: each independent claim more than in the original patent

	<u>Extra Claims</u>	<u>Fee</u>	<u>Fees Paid (\$)</u>
Total Claims <u>9</u> - 2/HP =		X \$ 50.00 =	0
HP = highest number of total claims paid for, if greater than 20			
Independent Claims <u>3</u> - 9/HP =		X \$210.00 =	0
HP = highest number of independent claims paid for, if greater than 3			
Multiple Dependent Claims			0
SUBTOTAL (2)			\$ 0

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 C.F.R. 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(e).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
n/a	- 100 =	/ 50 = (round up to whole number)	X \$260.00	0

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1081	260	2081	130	Utility
1082	260	2082	130	Design
1083	260	2083	130	Plant
1084	260	2084	130	Reissue

Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):

SUBTOTAL (3) \$ 0.00

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FEE CALCULATION (continued)**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	460	2252	230	Extension for reply within second month	
1253	1,050	2253	525	Extension for reply within third month	
1254	1,640	2254	820	Extension for reply within fourth month	
1255	2,230	2255	1,115	Extension for reply within fifth month	
1401	510	2401	255	Notice of Appeal	
1402	510	2402	255	Filing a brief in support of an appeal	
1403	1,030	2403	515	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	510	2452	255	Petition to revive - unavoidable	
1453	1,540	2453	770	Petition to revive - unintentional	
1501	1,440	2501	720	Utility issue fee (or reissue)	
1502	820	2502	410	Design issue fee	
1503	1,130	2503	565	Plant issue fee	
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	810	2809	405	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	130	2814	65	Statutory Disclaimer	
1810	810	2810	405	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	810	2801	405	Request for Continued Examination (RCE)	\$810
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,410	1454	1,410	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (4) \$ 810

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Marina Portnova

Signature: 

Date: January 3, 2008

Reg. Number: 45,750

Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

JAN 03 2008

Page 1 of 3

FEE TRANSMITTAL FOR FY 2008

(Effective on 9/30/2007. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)

TOTAL AMOUNT OF PAYMENT (\$) 810

Complete if Known:

Application No. 10/002,333
 Filing Date November 14, 2001
 First Named Inventor David Emerson
 Examiner Name Phuongchau Nguyen
 Art Unit 2616
 Attorney Docket No. 42390P12368

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☒ Other (please identify)

☒ Deposit AccountDeposit Account Number: 02-2666

Deposit Account Name: _____

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:

- ☒ Charge fee(s) indicated below.
☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.
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1114	510	2114	255	Reissue search fee		
1314	620	2314	310	Reissue examination fee		
1005	210	2005	105	Provisional application filing fee		
SUBTOTAL (1) \$						0.00

2. EXCESS CLAIM FEES**Fee Description****Large Entity**

Fee Fee

Code (\$)

1202 50

1201 210

1203 370

1204 210

1205 50

Small Entity

Fee Fee

Code (\$)

2202 25

2201 105

2203 185

2204 105

2205 25

Fee Description

Each claim over 20

Each independent claim over 3

Multiple dependent claims, if not paid

Reissue: each claim over 20 and more than in the original patent

Reissue: each independent claim more than in the original patent

Extra Claims**Fee****Fees Paid (\$)**Total Claims 9 - 2/HP =

X \$ 50.00 = 0

HP = highest number of total claims paid for, if greater than 20

Independent Claims 3 - 9/HP =

X \$210.00 = 0

HP = highest number of independent claims paid for, if greater than 3

Multiple Dependent Claims

= 0

SUBTOTAL (2) \$ 0

3. APPLICATION SIZE FEE

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<u>n/a</u>	- 100 =	/ 50 =	X \$260.00	0
		(round up to whole number)		

Large Entity

Fee Fee

Code (\$)

1081 260

1082 260

1083 260

1084 260

Small Entity

Fee Fee

Code (\$)

2081 130

2082 130

2083 130

2084 130

Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):

Utility

Design

Plant

Reissue

SUBTOTAL (3) \$ 0.00

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FEE CALCULATION (continued)**4. OTHER FEE(S)****Fees Paid (\$)**

Non-English Specification, \$130 fee (no small entity discount)

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1453	1,540	2453	770	Petition to revive - unintentional	
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1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
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Other fee (specify) _____

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Typed or Printed Name: Marina Portnova

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Date: January 3, 2008

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Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450